

S.L.

A G E N D A

BOARD OF ZONING ADJUSTMENT

June 24, 1976

CALL TO ORDER: 7:30 P.M. in the Commission Chambers of City Hall,
400 East Stewart Avenue, Las Vegas, Nevada.

ROLL CALL:

PLEDGE OF ALLEGIANCE:

OLD BUSINESS:

1. U-37-76 (HO)
(Abeyance Item)
(Withdrawn)
Application of HENRY E. AND MAE RILLING FOR ORLANDO MENDEZ for a Home Occupation Permit to allow a mail order operation for the selling of firearms on property located at 1700 Cedar Avenue, on the south-east corner of Cedar Avenue and North Bruce Street in Zoning District R-1.

NEW BUSINESS:

1. U-92-75 (HO)
Status Review
Status Review of the approved Home Occupation Permit of REVA SCHWARTZ on behalf of CANDICE CAULFIELD to allow the teaching of yoga at her residence with a maximum of four students per class, classes to be held three times per week, on property located at 3028 Scarlet Oak Avenue, on the south side of Scarlet Oak Avenue, between McLeod Street and Holly Hill Avenue in Zoning District R-1.
2. V-30-76
Application of WILLIAM AND CATHERINE FINDORFF for a Variance to allow the attachment of an accessory structure (garage and semi-enclosed patio) to the main dwelling where no attachment is allowed and to allow the conversion of the accessory structure to living area which is five feet (5') from the rear property line where fifty feet (50') is required on property located at 3101 Skipworth Drive, on the southwest corner of Skipworth Drive and Campbell Drive in Zoning District R-E.
3. V-31-76
Application of WILLIAM E. FENSKE for a Variance to allow an off-premise sign to a height of fifty-five feet (55') where a maximum of forty feet (40') is permitted on property generally located on the northwest corner of "F" Street and West Bonanza Road in Zoning District M.
4. V-32-76
Application of ALFRED E. LEWIS for a Variance to allow a room addition to the existing residence twenty-four feet (24') from the rear property line where thirty feet (30') is required on property located at 1417 Teton Street, on the west side of Teton Street between Owens Avenue and Sequoia Avenue in Zoning District R-1.
5. U-51-76
Application of FRANK WEINMAN for a Use Permit to allow a hypnotherapy clinic for self improvement on property located at 1337 South 4th Street, on the east side of South 4th Street between Colorado Street and Imperial Street in Zoning District C-2.
6. U-52-76 (HO)
Application of DANIEL GORDEY at 4001 Sunrise Avenue in Zoning District R-1 for a Home Occupation Permit - Allow for the off-premise sale of automobile and home burglar alarms.
7. V-33-76
Application of WILLIAM V. CHRIST AND ALINE CHRIST for a Variance to allow two (2) dwelling units where only one (1) is allowed and to allow a 16' rear yard setback where 25' is required and two (2) parking spaces where four (4) are required on property located at 1601 Hartke Place, on the west side of Hartke Place 104' north of San Pedro Avenue in Zoning District R-1.

8. V-34-76 Application of H. RAY MORGAN for a Variance to allow a carport two feet six inches (2'6") from the front property line where twenty-five feet (25') is required on property located at 1901 South Sixth Street, on the southeast corner of South Sixth Street and Canosa Avenue in Zoning District R-1.
9. V-35-76 Application of FAE STEWART for a Variance to allow a patio cover six inches (6") from the side property line where seven feet (7') is required on property located at 1030 Wengert Avenue, on the south side of Wengert Avenue between South Tenth Street and South Eleventh Street in Zoning District R-1.
10. V-36-76 Application of ANGIE B. MOON for a Variance to allow ten (10) parking spaces where eighteen (18) parking spaces are required on property located at 400 East Sahara Avenue, on the northeast corner of Santa Paula Drive and East Sahara Avenue in Zoning District C-1.
11. V-37-76 Application of CONTINENTAL PROPERTIES, INC. for a Variance to allow a wedding chapel where no wedding chapels are allowed on property located at 222 West Sahara Avenue, on the north side of West Sahara Avenue between Fairfield Avenue and Tam Drive in Zoning District C-1.
12. U-53-76 Application of BETHEL BAPTIST CHURCH for a Use Permit to allow a church and parking on property located at 400 West Adams Avenue, on the northwest corner of West Adams Avenue and "D" Street and on the south side of Jefferson Avenue between "D" and "E" Streets in Zoning District R-4.
13. V-38-76 Application of MR. AND MRS. W. S. TEAL for a Variance to allow an existing single family residence and proposed room addition which is five feet (5') from the rear property line where twenty-five feet (25') is required and one foot (1') from the south side property line where five feet (5') is required and three feet eight inches (3'8") from the north side property line where nine feet (9') is required making a side yard setback total of four feet eight inches (4'8") where fourteen feet (14') total is required on property located at 417 Arnold Street, on the east side of Arnold Street approximately 125 feet north of Alta Drive in Zoning District R-1.
14. U-54-76 (H0)
(WITHDRAWN) Application of ROBERT E. SMITH at 6921 Kim Avenue in Zoning District R-1 for a Home Occupation Permit - Allow an office only to be used in conjunction with the 1977 Rose Parade.
15. U-75-75
Plot Plan Review Request by STANDARD OIL COMPANY to revise the plot plan allowing the construction of a new service station (self-service) on property located at 600 Las Vegas Boulevard North and East Bonanza Road in Zoning District C-1.
16. V-43-74
Extension of Time
(Five years) Request for an Extension of Time on the approved Variance of RON RICHARDSON to allow the storage of mobile homes, travel trailers and recreational vehicles on an unpaved parking lot on property generally located on the west side of North Lamb Boulevard between Washington Avenue and Harris Avenue 250 feet west of Lamb Boulevard and immediately west of 808 and 826 North Lamb Boulevard in Zoning District R-E (Resolution of Intent to R-T).

S U P P L E M E N T A L A G E N D A

BOARD OF ZONING ADJUSTMENT

June 24, 1976

1. U-55-76 (H0) Application of LEE G. PHELPS at 5405 Longridge Street
in Zoning District R-1 for a Home Occupation Permit -
Allow an off-premise freelance photography business.
2. U-56-76 (H0) Application of STANLEY A. HARRIS at 2366-B Cardiff Lane
in Zoning District R-1 for a Home Occupation Permit -
Allow the operation of an off-premise lawn maintenance
operation.
3. U-57-76 (H0) Application of CONNIE M. ARNAUD at 721 South Mallard
Street in Zoning District R-1 for a Home Occupation
Permit - Allow an alteration service for various clothing
shops.
4. U-58-76 (H0) Application of RONALD J. WALKER at 5812 Fawn Avenue
in Zoning District R-1 for a Home Occupation Permit -
Allow retail sales and leasing of aquariums for installa-
tion in businesses at off-premise locations.

M I N U T E S

BOARD OF ZONING ADJUSTMENT

June 24, 1976

CALL TO ORDER:

A regular meeting of the Board of Zoning Adjustment was called to order by Vice-Chairman Segretti at 7:30 P.M. in the Commission Chambers of City Hall, 400 East Stewart Avenue, Las Vegas, Nevada.

PLEDGE OF ALLEGIANCE:

PRESENT:

Vice-Chairman Segretti, Mr. Miller, Mrs. Emmett and Mr. Canul.

EXCUSED:

Chairman Duncan.

STAFF PRESENT:

Don J. Saylor, AIP, Director of Community Planning and Development.
Howard A. Null, Supervisor of Planning and Zoning, Department of Community Planning and Development.
Ira John Gardner, Planning Assistant.
Patricia D. Malizia, Recording Secretary.

OLD BUSINESS:

1. U-37-76 (HO)
(Abeyance Item)
WITHDRAWN

Application of HENRY E. AND MAE RILLING FOR ORLANDO MENDEZ for a Home Occupation Permit to allow a mail order operation for the selling of firearms on property legally described as Lots 1 and 2, Block 1, Boulder Dam Homesite Addition #2, located at 1700 Cedar Avenue, on the northeast corner of Cedar Avenue and North Bruce Street in Zoning District R-1 (Single Family Residence).

MR. NULL indicated this is a request for a Home Occupation Permit to allow the sale of firearms heard at the last meeting and the Board held it in abeyance for notification of the neighbors; and this item has since been withdrawn by the applicant.

NEW BUSINESS:

1. U-92-75 (HO)
Status Review
APPROVED

Status Review of the approved Home Occupation Permit of REVA SCHWARTZ on behalf of CANDICE CAULFIELD to allow the teaching of yoga at her residence with a maximum of four students per class, classes to be held three times per week, on property located at 3028 Scarlet Oak Avenue, on the south side of Scarlet Oak Avenue, between McLeod Street and Holly Hill Avenue in Zoning District R-1.

MR. NULL stated this is a status review on an approved Home Occupation Permit which was heard last January, and the Board requested this item come before them again in six months for review. He indicated there have been no complaints on record concerning this operation.

VICE-CHAIRMAN SEGRETTI asked to hear from the applicant.

MS. CANDICE CAULFIELD appeared stating she was the yoga teacher holding classes in her home and Reva Schwartz is the owner of the home.

VICE-CHAIRMAN SEGRETTI asked if this application was made on her behalf?

MS. CAULFIELD replied "yes".

MR. MILLER asked if this item was brought back for review to find out if there were any complaints or problems?

MS. CAULFIELD replied "yes", to see if there were any complaints.

MR. NULL indicated since it was a case review there was no notification on this item, but if there were any complaints received they would have come to the office of the Department of Community Planning and Development.

MS. CAULFIELD indicated most of her students either ride bikes or walk to her classes.

VICE-CHAIRMAN SEGRETTI asked if there was anyone present to speak against this item? (There was no response)

MR. MILLER stated since there was no problem with this operation at this location, he would make a Motion for APPROVAL of the continuation of this use with no further reviews being required subject to the following conditions:

1. All advertising shall conform to the criteria for a Home Occupation Permit.
2. If a complaint is received regarding this operation, the surrounding property owners shall be notified and the Board will conduct a review and the approval may be rescinded.

Voting was as follows:

Mr. Miller - yes.
Mrs. Emmett - yes.
Mr. Canul - yes.
Vice-Chairman Segretti - yes.

Motion for APPROVAL carried unanimously.

2. V-30-76

APPROVED

Application of WILLIAM AND CATHERINE FINDORFF for a Variance to allow the attachment of an accessory structure (garage and semi-enclosed patio) to the main dwelling where no attachment is allowed and to allow the conversion of the accessory structure to living area which is five feet (5') from the rear property line where fifty feet (50') is required on property legally described as Lot 6, Block 2, Amended Plat of Rancho Nevada Estates #1, located at 3101 Skipworth Drive, on the southwest corner of Skipworth Drive and Campbell Drive in Zoning District R-E (Residence Estates).

MR. NULL pointed out the location of the property on the screen stating it was located on the corner of Skipworth Drive and Campbell Drive being zoned R-E. He stated the house has an attached garage and roof portico which makes it a single structure, and that is the reason for the variance request. He stated this garage and patio roof have already been constructed probably at the time the house was built and staff can find no building permits taken out for this construction. He stated something must have happened at the time the house was built to allow this connected structure 5' from the property line. He stated the nearest house is some 50' away in a R-E zone. He stated staff generally makes no recommendation in R-E zones because of the large size lots. There were no protests or approvals on record.

VICE-CHAIRMAN SEGRETTI declared the public hearing open and asked to hear from the applicant.

MRS. CATHERINE FINDORFF, 3101 Skipworth Drive, appeared and presented one letter of approval to the Board. She also presented blueprints of the proposed addition stating that the part of the garage nearest to the neighbor would be used for storage only.

VICE-CHAIRMAN SEGRETTI asked if they had started construction on this?

MRS. FINDORFF stated "no".

MR. MILLER asked if this property was within Code on the Campbell side of the property and wondered if the back property line was the only problem?

MR. NULL indicated the side yard is 15' which is the normal side yard requirement. He stated the back yard is where the problem is with 5' separating the two properties.

MRS. EMMETT asked if there was a wall existing between these two properties?

MRS. FINDORFF replied "yes" and stated there will be no structural changes other than moving the carport doors.

MR. MILLER asked the height of the wall?

MRS. FINDORFF stated 8'.

MR. MILLER asked regarding the neighbors on the back property line?

MRS. FINDORFF stated they have presented a letter in favor of this request.

MRS. EMMETT asked if there were any protests on record?

MR. NULL replied "no".

VICE-CHAIRMAN SEGRETTE asked if notices were sent out?

MR. NULL stated "yes".

VICE-CHAIRMAN SEGRETTE asked if anyone else wished to be heard and there being no one, she declared the public hearing closed.

MR. CANUL made a Motion for APPROVAL of V-30-76 subject to the following conditions:

1. Conformance to the plot plan.
2. Conformance to code requirements and design standards of City Departments.

Voting was as follows:

Mr. Miller - yes.
Mrs. Emmett - yes.
Mr. Canul - yes.
Vice-Chairman Segretti - yes.

Motion for APPROVAL carried unanimously.

3. V-31-76

APPROVED

Application of WILLIAM E. FENSKE for a Variance to allow an off-premise sign to a height of fifty-five feet (55') where a maximum of forty feet (40') is permitted on property legally described as Lots 1 thru 4, Block 6, Original Las Vegas Townsite, generally located on the northwest corner of "F" Street and West Bonanza Road in Zoning District M (Industrial).

MR. NULL indicated the applicant in this situation would like to erect a sign taller than 40', the edge of which will be perpendicular to the freeway. He stated this is a unique situation in that the freeway at this point overpasses "F" Street and in order to have a sign at this location quite a bit of additional height is needed for it to be effective. He pointed out the location of the sign on the plot plan. He stated on this property there is an existing gas station which is now being used only for auto repair. He pointed out the freeway right-of-way. He indicated the sign is required by Ordinance to be set back 10' from the right-of-way, and it has been shown

this way on the plan. He stated the Beautification Committee has made a recommendation of denial on this Variance and representatives are present to voice their opposition.

VICE-CHAIRMAN SEGRETTI asked if the Ordinance had been changed since the freeway has been put in?

MR. NULL indicated they are allowed 1200 sq. ft. of sign but with the freeway overpass they are losing 20' of their sign height.

VICE-CHAIRMAN SEGRETTI declared the public hearing open and asked to hear from the applicant.

MR. JERRY SMITH, Kele, Inc. 4721 Santa Fe, Yorba Linda, California, appeared representing William Fenske. He informed the Board that four years ago the City reduced the height for outdoor advertising signs because prior to that there was no height limitation. He stated this action was brought about when a gentleman wanted to build a 115' or 120' high sign on Ogden. He stated at the time the Ordinance was passed the Commission agreed, because they realized the freeway was going through and would be elevated, that they would allow Variances to be requested. He stated he has talked with staff a number of times and it was decided this is the only way they can make a good unit here. He stated this request was brought before the Beautification Committee and that Committee has adopted a blanket policy for not approving variances for outdoor advertising signs. He stated they could build their sign tomorrow morning at 40' with 26 telephone poles. He stated they would like to build a two-pole structure to enhance the inbound lanes on the freeway. He stated the freeway is banked at this location and that is why the additional height is required. He stated he felt the situation, with the freeway being elevated to clear Bonanza Road, would warrant this variance request.

MR. ALLEN SANDERS, representing the Las Vegas Metropolitan Beautification Committee appeared in protest. He stated he has been with the Beautification Committee since its beginning in Las Vegas, and they met last Tuesday and had a very brief discussion over this matter of an off-premise sign at this location. He stated their Committee has been over to this location, and they feel at the present time this location is an eyesore with the small car lot; and the Committee decided that they would like to stick with the old policy and try to beautify where it is really needed. He stated he felt this was one spot the Board should take a look at. He stated the Committee also felt if this were approved it would be opening the gap for someone else to come along with a 55' sign and put it every 300' or 400' on the freeway. He stated the Beautification Committee at the present time is voting no against this request. He stated the speed limit in this area is 55 mph and he didn't feel people would have time to look at a sign at this location.

MR. FRANK PORTER, Chairman of the Las Vegas Metropolitan Beautification Committee, appeared in protest. He asked how high above the freeway itself would the sign be?

MR. SMITH indicated 6' above grade level; he added at this location there is a 5' safety barrier. He stated this sign will be close to eye level. He added south of Charleston there are signs 30' to 40' above the grade of the freeway, and complaints have been received from the people in the Scotch Eighty Subdivision. He commented these signs are very expensive and they were not going any higher than necessary.

MR. MILLER asked the size of the sign?

MR. SMITH replied 14' X 40', 700 sq. ft. He stated they have no intention of building anything different. He stated according to the Ordinance a 1200 sq. ft. sign could be put at this location.

MR. MILLER commented as long as it met the height requirements; he asked who the sign will belong to?

MR. SMITH replied Kele, Inc.

VICE-CHAIRMAN SEGRETTI asked if the property under the freeway on both sides was zoned commercial?

MR. SMITH replied "yes" and stated the actual piece of property was rezoned for a garage operation. He added on the east side of the freeway are heavy commercial and industrial uses. He stated there are no residents that would be effected by this sign that they could determine.

MR. PORTER reappeared and stated the biggest concern of the Beautification Committee is that this might be a spring board for variances in other areas. He stated they are concerned about the precedent this could set. He stated if this request is approved the Committee would request that a condition be put on the approval that the property itself be cleaned up; it is an eyesore. He stated some attention should be paid to the property and the appearance it reflects on the neighborhood; he stated this has to be started somewhere. He stated on a parcel of land used for commercial gain many times the owners see no reason to clean up the property. He stated the Committee recognizes the fact the sign company has agreed to double face the sign and it is very nice to see someone doing this. He stated the Committee favors many of the things that Mr. Smith is doing in this town with the exception of a sign being put in where it might set a precedent. He added the Federal Government is taking signs down, and we seem to be thrusting them up again. He stated they feel all these things should be taken into consideration.

VICE-CHAIRMAN SEGRETTI asked if this sign will be advertising the business on the property?

MR. SMITH replied "no" it is a billboard type sign.

MR. PORTER reappeared and asked who Mr. Smith's sign would be appealing to, the people on the freeway or Bonanza Road? He stated many cases are not given consideration as establishing a hardship as they are supposed to be. In order to get a variance a person requesting it is supposed to show a hardship. He stated he didn't feel there was a hardship because the sign isn't there yet.

MR. MILLER stated he appreciated what Mr. Porter was saying, and he stated he agreed that the property should be cleaned up.

MR. SMITH indicated this was discussed at the Beautification Committee, and when the City approved the rezoning request it was subject to a lot of conditions. He stated he did not want that albatross around his neck. He felt the person who got the rezoning and the one making the money from the property should be the one to clean up the lot; he added if his sign doesn't go in it still won't get cleaned up.

MR. NULL indicated staff could go out and check the zoning and compel the owner to fix it up.

MR. SMITH indicated he talked with Mr. Saylor regarding the hardship clause of a variance request, and he stated he felt the topography presented a hardship. He stated he was one of the strongest advocates of outdoor advertising control, and he added that the best way to build a sign

isn't always the cheapest way to build it. He indicated he didn't feel this request would be setting a precedent because he didn't feel there were any other locations along the freeway that would have this problem to his knowledge. He stated the Federal Government is taking down signs, but he added this unit complies with all State and Federal regulations. He stated the only other place available for outdoor advertising signs is along the railroad tracks, but with the new expressway opening up there may be something there. He stated there has to be certain zoning to build an outdoor advertising sign and to make the sign double faced they need the height. He stated the Beautification Committee is now requesting that signs be built double faced, and if this variance is not approved they cannot build a double faced sign because of the lack of height; he stated the sign is for the freeway traffic.

MR. CANUL asked for staff's recommendation?

MR. NULL stated staff doesn't really have a recommendation other than the fact that this is a unique situation because of the freeway height at this location. He stated there is one written protest on record.

MR. MILLER asked who was the protestant?

MR. NULL stated across Bonanza Road, Longley Construction Company.

MR. PORTER reappeared and stated Longley Construction Company has been in business for a long time and they went into an area that was completely industrial and completely enclosed and landscaped around their entire facility. They have always maintained the area and kept it attractive. Without being asked by the community they have tried to better the community.

MRS. EMMETT indicated she felt possibly this double faced sign could bring some relief in this area.

MR. PORTER indicated there are two major things that were of concern to the Beautification Committee; one being that this could be used to set a precedent and the other thing is that they don't feel it should be up to staff to compel these people to improve their property; it should be up to the property owner.

MRS. EMMETT asked how the Board could get property cleaned up if the situation is already existing?

MR. PORTER stated that Mr. Smith says he is not going to clean up the property if he gets the sign variance.

MR. CANUL asked if Mr. Smith was responsible?

MR. PORTER suggested this item be held in abeyance until the owner of the property complies with cleaning up the property.

MR. MILLER moved that this item be held in abeyance.

MR. SMITH reappeared and informed the Board that this property is now in escrow and the purchase of this property is contingent upon this variance application approval. He stated Kele, Inc. will purchase the property upon the variance approval. He stated he has discussed this with staff and didn't want to go this far at this meeting because he felt this could be approved on its own merit. He stated if he was not going to buy the property and Mr. Fenske who lives in L.A. doesn't clean up the property certain conditions would have to be met before he could put up the sign and he questioned whether or not this would work.

MR. MILLER asked if this property in escrow was contingent on this variance approval?

MR. SMITH replied "yes", if the variance goes through it will change ownership.

MR. MILLER asked Mr. Smith what he would do with the property?

MR. SMITH stated the existing tenant almost has title to the property.

MR. MILLER asked if it would be possible to grant this variance subject to a review period?

MR. NULL informed the Board they have the right to put whatever conditions on it that they want. He stated the Board isn't worried about the structure but only the cleaning up of the lot and staff can go out and check it out.

MR. CANUL suggested the condition be worded that this will be approved subject to the owner cleaning up the property.

MR. PORTER reappeared and stated these conditions were put on the last owner and it still sits there.

MR. NULL indicated staff didn't inspect the whole site, only where the standards were going up; he indicated the landscaping needed to be fixed up, and if the owner has a junk yard on the property staff will get him to clean it up.

MR. MILLER asked if the conditions of the zoning action were transferable to the new owners?

MR. NULL stated the conditions on the property go with the property.

VICE-CHAIRMAN SEGRETTE asked if anyone else wished to be heard, there being no one she declared the public hearing closed.

Due to the fact there was no action on his previous motion, MR. MILLER made a Motion for APPROVAL of V-31-76 with the stipulation that the property be cleaned up in accordance with the variance conditions on the other parcel prior to the sign being constructed and the following conditions:

1. Conformance to the plot plan.
2. Removal of all junk from the property prior to any permit issuance for the construction of the sign as required by the Department of Community Planning and Development.
3. Conformance to the original conditions of approval under Z-88-73.
4. Conformance to code requirements and design standards of City Departments.

Voting was as follows:

Mr. Miller - yes.
Mrs. Emmett - yes.
Mr. Canul - yes.
Vice-Chairman Segretti - yes.

Motion for APPROVAL carried unanimously.

MRS. EMMETT asked if this condition would be enforceable since it has been a problem in the past?

MR. NULL indicated staff can get them to clean up the property and upgrade the landscaping to what it was supposed to be.

MR. SMITH asked if this property had to be brought up to the grade of the zoning approval?

MR. NULL replied "yes".

4. V-32-76

APPROVED

Application of ALFRED A. LEWIS for a Variance to allow a room addition to the existing residence twenty-four feet (24') from the rear property line where thirty feet (30') is required on property legally described as Lot 29, Block 1, College Park No. 21, located at 1417 Teton Street, on the west side of Teton Street between Owens Avenue and Sequoia Avenue in Zoning District R-1 (Single Family Residence).

MR. NULL stated this Variance is what could be called a standard rear yard variance. He informed the Board staff was in the process of rewriting this section of the Ordinance. He stated there is an 8' block wall on the rear and a 4' wall on the south side. He pointed out the location of the walls on the plan and the proposed addition. He stated the addition will be 25' from the rear property line, the front yard setback is 20' so he is 5' short in the rear yard. There are no protests or approvals on record.

VICE-CHAIRMAN SEGRETTEI declared the public hearing open and asked to hear from the applicant.

MR. ALFRED A. LEWIS, 1417 Teton Street, appeared, and explained the addition.

VICE-CHAIRMAN SEGRETTEI asked what the addition was for?

MR. LEWIS replied for a family room.

VICE-CHAIRMAN SEGRETTEI asked the size of his family?

MR. LEWIS replied four persons.

VICE-CHAIRMAN SEGRETTEI asked how many rooms were in the house at present?

MR. LEWIS replied three bedrooms and two baths. He indicated they did have only two bedrooms but recently built on one bath and a bedroom, and he stated they would like to have a family room.

VICE-CHAIRMAN SEGRETTEI asked if anyone else wished to be heard, there being no one she declared the public hearing closed.

MR. CANUL made a Motion for APPROVAL of V-32-76 subject to the following conditions:

1. Conformance to the plot plan.
2. Conformance to code requirements and design standards of City Departments.

Voting was as follows:

Mr. Miller - yes.
Mrs. Emmett - yes.
Mr. Canul - yes.
Vice-Chairman Segretti - yes.

Motion for APPROVAL carried unanimously.

5. U-51-76

WITHDRAWN

Application of FRANK WEINMAN for a Use Permit to allow a hypnotherapy clinic for self improvement on property legally described as Lot 13, Block 22, Boulder Addition, located at 1337 South 4th Street, on the east side of

South 4th Street between Colorado Street and Imperial Street in Zoning District C-2 (General Commercial).

MR. NULL informed the Board the applicant has requested this application be withdrawn.

6. U-52-76 (HO)

MR. NULL asked Vice-Chairman Segretti if she would like to take item 6. U-52-76 (HO) with the four Home Occupation Permits on the Supplemental Agenda under one action?

VICE-CHAIRMAN SEGRETTI replied "yes", after V-33-76.

7. V-33-76

APPROVED

Application of WILLIAM V. CHRIST AND ALINE CHRIST for a Variance to allow two (2) dwelling units where only one (1) is allowed and to allow a 16' rear yard setback where 25' is required and two (2) parking spaces where four (4) are required on property legally described as Lot 21, Block 5, Francisco Park No. 2, located at 1601 Hartke Place, on the west side of Hartke Place 104' north of San Pedro Avenue in Zoning District R-1 (Single Family Residence).

MR. NULL stated this property is located on Hartke Place and there was a permit taken out for a storage building; it appears now the applicant needs to request a variance for an additional living unit. He stated it is staff's understanding this is to be a relative living there, close family. He stated this site is located on a unique lot but that has nothing to do with the variance for the second dwelling unit, and the only thing that should be considered is that this is a R-1 zone and the applicant is requesting a second living unit. There is one letter of protest on record.

VICE-CHAIRMAN SEGRETTI asked for staff's recommendation?

MR. NULL stated staff would recommend denial because this is not a permitted use in a single family area.

VICE-CHAIRMAN SEGRETTI declared the public hearing open and asked to hear from the applicant.

MR. AND MRS. WILLIAM CHRIST, 1601 Hartke Place, appeared.

MR. CHRIST informed the Board he is a Strip musician with odd working hours and has to rehearse during the days; his working hours start from noon to 2 A.M. He stated originally they wanted to apply for a variance to put in a music room and study and a photography room; and they had hoped his father could sleep there when he comes to visit from Florida, but they were informed no one would be allowed to sleep in the room. He stated the houses in the tract are very small, and they would like this addition for the above mentioned purposes. He stated his father doesn't want to visit because he feels he is in the way. He stated there will be no kitchen in there, and there will be no need for parking as there will be just his car.

VICE-CHAIRMAN SEGRETTI asked why they wanted the second building?

MRS. CHRIST appeared and stated all their air conditioning is on the roof, and this has prohibited them from adding a second story. There was a storage building there when they bought the house, but it was old and it was of no use to them.

VICE-CHAIRMAN SEGRETTI asked if it would be a house someone could live in?

MR. CHRIST indicated he was informed if anyone was sleeping in the building he would be in violation of the law.

VICE-CHAIRMAN SEGRETTI asked if the addition couldn't be attached to the house?

MR. CHRIST stated with the nature of his music there would be noise for the people in the house.

MRS. CHRIST indicated it was a block wall house.

MR. CHRIST stated it will be used strictly as a music room and a place for his father to sleep when he visits. He informed the Board his house sits at a lower elevation than the people to the rear of them.

MR. MILLER asked what size the building was going to be?

MR. CHRIST replied 25' X 25'. He presented pictures of the old building and the proposed building to the Board.

MR. MILLER asked if construction had begun?

MR. CHRIST indicated he had started this as a music room and then was told if someone slept there he would be in violation of the law, and that is why he was here tonight.

MR. NULL indicated the permit is for a storage shed.

MR. CHRIST stated it was for a multi-purpose room.

MR. CANUL asked how much money was invested in the room at this point?

MR. CHRIST replied \$5,000.

MRS. CHRIST stated it was very well insulated and fire-proofed.

MRS. EMMETT asked the dimensions of the lot?

MR. CHRIST replied 165' X 159'.

MR. MILLER stated it was pie-shaped.

MRS. EMMETT commented they could go two-story on a lot of less size than this.

MRS. CHRIST indicated they couldn't go two stories because of the duct work and air conditioning on the roof.

MR. CHRIST informed the Board the petition of approval presented to them contained the names of all the immediate neighbors, as many as he could get.

VICE-CHAIRMAN SEGRETTI asked if a building permit was taken out prior to beginning construction?

MR. CHRIST indicated the builder that was building the building did not take out a permit.

VICE-CHAIRMAN SEGRETTI asked if they had a permit now?

MR. CHRIST replied "yes". He stated the plumbing and electrical will be approved soon.

VICE-CHAIRMAN SEGRETTI asked staff how a building permit could be issued when it is not in conformance with the Ordinance?

MR. NULL replied when the building permit was issued it was for an accessory detached structure, but now it is to become a separate dwelling unit.

VICE-CHAIRMAN SEGRETTI asked what the building permit states?

MR. NULL indicated a detached storage building, and he indicated there is a shower, lavatory and wash tray and that is what the plumbing permit was for. He stated regardless of the above they will need a minimum of two

additional parking spaces.

MR. MILLER asked what makes a dwelling unit?

MR. CHRIST stated he understood it was a dwelling unit if someone was going to sleep in it. He added he has lived there for 14 years.

VICE-CHAIRMAN SEGRETTE stated the question is two dwelling units on one lot which is not permitted.

MR. CHRIST indicated an additional dwelling unit is not permitted, and he added no one is going to live there. He stated his father was here the last time three years ago and he hoped he would come again this year.

MS. KELLY STAINER, 1515 Phillips, appeared in favor of this request. She indicated she had lived in the area 21 years and she felt the Christ's were doing a lot for the neighborhood. She stated when commercial went in around the corner everybody felt they didn't want to fix up their property and now that the Christ's have put so much into their house other people are making improvements in the area. She stated she felt this would make the neighborhood beautiful, and she was in favor of this request.

MR. SAYLOR stated if this is approved as a second dwelling unit anybody could live there and he asked if the Board wanted to clarify the motion?

MRS. EMMETT stated that it be approved as a multi-purpose room for music and photography and as guest quarters and not to be used as a second dwelling unit.

VICE-CHAIRMAN SEGRETTE asked if anyone else wished to be heard, there being no one she declared the public hearing closed.

MRS. EMMETT made a Motion for APPROVAL of V-33-76 subject to the following conditions:

1. The accessory structure is to be used only for a multi-purpose room and guest quarters and not for rental purposes.
2. Conformance to the plot plan.
3. Conformance to code requirements and design standards of City Departments.

Voting was as follows:

Mr. Miller - yes.
Mrs. Emmett - yes.
Mr. Canul - yes.
Vice-Chairman Segretti - yes.

Motion for APPROVAL carried unanimously.

8. U-52-76 (HO) Application of DANIEL GORDEY at 4001 Sunrise Avenue in Zoning District R-1 for a Home Occupation Permit - Allow for the off-premise sale of automobile and home burglar alarms.
9. U-55-76 (HO) Application of LEE G. PHELPS at 5405 Longridge Street in Zoning District R-1 for a Home Occupation Permit - Allow an off-premise freelance photography business.
10. U-56-76 (HO) Application of STANLEY A. HARRIS at 2366-B Cardiff Lane in Zoning District R-1 for a Home Occupation Permit - Allow the operation of an off-premise lawn maintenance operation.

11. U-57-76 (HO)

Application of CONNIE M. ARNAUD at 721 South Mallard Street in Zoning District R-1 for a Home Occupation Permit - Allow an alteration service for various clothing shops.

12. U-58-76 (HO)

ITEMS 8 thru 12
APPROVED

Application of RONALD J. WALKER at 5812 Fawn Avenue in Zoning District R-1 for a Home Occupation Permit - Allow retail sales and leasing of aquariums for installation in businesses at off-premise locations.

MR. NULL indicated the items were all Home Occupation Permits and there appears to be nothing in conflict with the Ordinance.

MR. MILLER made a Motion for APPROVAL of Items 8 thru 12, subject to the following conditions:

1. All advertising shall conform to the criteria for a Home Occupation Permit.
2. If a complaint is received regarding this operation, the surrounding property owners shall be notified and the Board will conduct a review and the approval may be rescinded.

Voting was as follows:

Mr. Miller - yes.
Mrs. Emmett - yes.
Mr. Canul - yes.
Vice-Chairman Segretti - yes.

Motion for APPROVAL on Items 8 thru 12 carried unanimously.

13. V-34-76

DENIED

Application of H. RAY MORGAN for a Variance to allow a carport two feet six inches (2'6") from the front property line where twenty-five feet (25') is required on property legally described as Lot 1, and the west eighteen feet (18') of Lot 2, Block 3, Alta Vista Addition No. 2, located at 1901 South Sixth Street, on the southeast corner of South Sixth Street and Canosa Avenue in Zoning District R-1 (Single Family Residence).

MR. SAYLOR stated this property is located in an R-1 zone and the request is to deviate from the front yard setback requirements. He stated the structure does exist as two walls of the proposed carport. He indicated several months ago this applicant was before the Board for the same request; the application was denied by both the Board of Zoning Adjustment and the appeal to the City Commission was also denied. He stated there was a substantial protest factor and the Building Department then took action to have the building removed in that it was illegal. Mr. Morgan was cited into court where, I believe, he pleaded guilty to the charge and the hearing was set for May or June, and he did not show for the hearing and it appears the judge instructed that a bench warrant be prepared for issuance. He stated to his knowledge the bench warrant has not been issued or served. He stated the matter is still in litigation; and staff has discussed this with the City Attorney's office and they have advised that the Board should take action on the application instead of holding it in abeyance because of the litigation. He presented pictures of the structure to the Board and explained the history of this application. He stated the Ordinance stipulates that the narrow part of the lot is the front, and when Mr. Morgan came in to get the building permit for the carport he gave the legal as being Lot 1 of Block 3, Alta Vista Addition No. 2. In checking our records he indicated he had only one lot. At that time he did not indicate he had acquired additional property (west 18' of Lot 2) and consequently on the basis of the initial information staff issued the approval of the application for the carport to within 15'

of what his side property line was predicated upon, the area of Lot 1. Because of the fact he did not inform staff he had acquired additional property, which had made the legal front of the lot different, and which, therefore, required a 25' setback on 6th Street, the building permit issued stipulated a 15' setback on 6th Street. Mr. Morgan then proceeded to erect the walls of the structure within 2' and 3' of the property line at this point being in violation of the way the permit was issued. The Building Department then issued a stop work order on it, the variance was applied for and denied by both the BZA and City Commission with a substantial protest factor. He stated the same protests from the last application are brought forward to the Board as still being valid. He stated there is a petition from a number of property owners plus four letters of protest and one letter of approval. He stated staff feels as they did before that this structure is in violation of the Ordinance, regardless if the information given originally was erroneous; however, that wouldn't have been too bad but then he proceeded to build within 2' and 3' of the lot line. He stated obviously a 15' setback from the property line would not have allowed sufficient room for the carport construction. He stated staff recommends denial.

VICE-CHAIRMAN SEGRETTI declared the public hearing open and asked to hear from the applicant.

MR. H. RAY MORGAN, 1901 South Sixth Street, appeared and stated his request was similar to that of the gentleman before him in that he subcontracted this work to be done by Silver Key Construction and the man in charge left word to continue with the carport and Mr. Morgan stated he figured the builder would get the permit. He stated the construction boys came out Friday, Saturday and Sunday and put up the walls and driveway and then someone came out and put the stop work order on it. He stated he then got the permit July 22, 1975, and paid the fine and a \$15.00 fee. He stated Mr. Saylor was wrong about him being cited into court. He stated the citation was sent out that he did wrong and he followed the instructions and the City came out and measured the property. He stated to his knowledge he didn't give the City 6' of his property and if any additional property was acquired it was done by Bob Shaw who owned the property three years ago, and he stated he felt it was a mistake of the Planning Department because their records are not straight. He stated the bench warrant was issued because he didn't appear in court, and he stated he didn't go until this was heard again by the Board. He stated the bench warrant was issued on June 9, and he stated he contacted the judge on the 7th and was told to go to the meeting with the Board and get it all straightened out. He stated he has the sides of the carport up and everything else. He stated there is an Olive Tree in this area, and you can't see the carport coming down 6th Street unless you are in front of the property. He stated he is putting in these improvements to increase the value of his home and improve the street. He stated the Highway Department stated it was not a hazard at the corner and he couldn't understand why he couldn't get the permit to finish the carport. He stated his carport should have been finished with half the cost. He stated he just wants to improve his property and he doesn't want to break any laws. He stated he used to be on this Board, and he resigned because he was tired of hearing the people cry to the Board.

MR. CANUL asked how many feet were there from the back of the sidewalk to the front of the carport?

MR. MORGAN stated 8½'. He informed the Board that just around the corner from his house there is a carport that allows the Cadillac to stick out into the sidewalk. He stated his car will be up in the carport and won't stick out beyond the wall area when the car is in the carport.

MRS. EMMETT asked regarding the neighbor to the east of Mr. Morgan who at the last meeting expressed disapproval of this request.

MR. MORGAN stated his carport would have never been started if the City had known about the property. He stated Canosa is his front street and he could build up to 4' from the wall; he stated this is now changed and 6th Street is his front yard.

MR. SAYLOR clarified that the permit indicates 15' from the property line on 6th Street and the carport is not built 15' from the property line, it is within 2' and even if he thought the property line was at the curb, which it is not, he still would only be 8'6" from the property line even if given the benefit of the doubt.

MR. MORGAN stated he didn't know these were the rules.

MR. MILLER asked Mr. Morgan when he sat on the Board and questioned whether or not he knew the rules then?

MR. MORGAN stated he didn't own property at that time.

VICE-CHAIRMAN SEGRETTI indicated he must have known the Ordinance required footage from the side and front and from the back property lines, and she stated he knew he had to have a building permit.

MR. MORGAN indicated he had explained this previously. He stated the builder came down and looked at it and he left it up to him and then he was called out of town and he left word with his co-workers and they didn't get the permit; he stated he didn't know there wasn't a permit taken out.

VICE-CHAIRMAN SEGRETTI commented that if he served on the Board and didn't ask the contractor if he had a permit she was glad she didn't appear before him.

MR. CANUL asked how wide is the carport?

MR. SAYLOR indicated 25½'.

VICE-CHAIRMAN SEGRETTI asked if there was anyone present in favor or against this request?

MR. JIM SYLVESTRI, 610 Canosa, appeared in protest. He stated Mr. Morgan started construction without a building permit, and he hasn't complied with the 25' setback as required. He stated there are deed restrictions in this subdivision which prohibit building in the 25' setback area. He stated there is a 7' wall erected on the Canosa side of the property, and there is a danger in the driveway area because of this wall. He stated there is a petition of 18 signatures of neighborhood residents opposed to this variance which was given to the Board at the last hearing, and this is in Mr. Saylor's office and a copy is also in Mr. Leavitt's office. He stated even though the wall is hidden by the Olive Trees it is still a danger to the people using this street, and there have been many near accidents and one man killed at that intersection. He stated for these reasons his family and the people who live around the area feel this application should be denied.

VICE-CHAIRMAN SEGRETTI asked how many approvals and disapprovals were there on record?

MR. SAYLOR informed the Board there is an indication on file that the previous petition was in effect with approximately 21 signatures in protest and one letter of approval.

VICE-CHAIRMAN SEGRETTI declared the public hearing closed.

MR. MILLER made a Motion for DENIAL of V-34-76.

Voting was as follows:

Mr. Miller - yes.
Mrs. Emmett - yes.
Vice-Chairman Segretti - yes.
Mr. Canul - abstained.

Motion for DENIAL carried by a 3-1 vote.

RECESS:

VICE-CHAIRMAN SEGRETTI declared a ten-minute recess at 9:00 P.M. and reconvened the meeting at 9:10 P.M.

14. V-35-76

APPROVED

Application of FAE STEWART for a Variance to allow a patio cover six inches (6") from the side property line where seven feet (7') is required on property legally described as Lot 5, Block 30, Huntridge Subdivision #4, located at 1030 Wengert Avenue, on the south side of Wengert Avenue between South Tenth Street and South Eleventh Street in Zoning District R-1 (Single Family Residence).

MR. NULL stated this patio cover has already been constructed and staff cannot find a permit for it. He stated as far as the property next door is concerned the house is 12' from the property line. He pointed out the location of the property on the plot plan. He stated the patio cover runs the length of the house and there is an existing concrete slab in the center portion, and this is entirely new construction as far as the roof is concerned and there is dirt on two ends of the area with concrete in the center. He stated there is nothing unique about this lot and staff would recommend denial. There are two protests and nine letters of approval on record.

VICE-CHAIRMAN SEGRETTI declared the public hearing open and asked to hear from the applicant.

FAE STEWART, 1030 Wengert Avenue, appeared.

VICE-CHAIRMAN SEGRETTI asked why the patio cover was needed?

MS. STEWART indicated the concrete slab had been there for a long time, and two years ago she had a roof built over the slab to keep the elm leaves from her neighbors property away from her kitchen door.

VICE-CHAIRMAN SEGRETTI asked if the roof was over the patio at the present time?

MS. STEWART replied "yes", that is what is in question now.

VICE-CHAIRMAN SEGRETTI asked if she had a permit for the construction?

MS. STEWART indicated someone else did the construction and she didn't know a permit was needed.

MR. CANUL asked if this was a request to allow this patio cover to stay, and he asked staff how they found out about it?

MR. NULL indicated he didn't know the reason why it came up, and the request is to approve the existing patio cover to 6" from the side property line.

MS. STEWART indicated there were patio covers on this street that come right together on the property line. She indicated her neighbor did not object to this patio cover and had indicated that she could care less about having the roof there. She stated a man from the City was driving by and stopped to see about the patio cover because it looked like new construction; there were no complaints on it.

MR. CANUL asked how many approvals and protests were on record?

VICE-CHAIRMAN SEGRETTE asked where the protests were located?

MR. NULL indicated one protest was located at 1050 Sweeney and the other at 1030 Sweeney which were on the next street to the south.

MR. CANUL commented they wouldn't even see this construction.

MR. NULL indicated there is a row of homes between the protestant's property and this patio cover.

MS. STEWART indicated she had talked with the people across the street on the corner and asked them if they got a notice, and they indicated they did but they weren't concerned because they didn't live close to the property. She stated her next door neighbor doesn't care and the two people across the street have no objection whatever to it.

MR. MILLER indicated that one of the reasons for setback requirements is to prevent a fire hazard if a building is too close to the property line, and this is one of the reasons setbacks are required.

MS. STEWART stated her neighbor doesn't object to this patio cover, and she added it cost quite a bit to get it done.

MR. CANUL asked how far away is the house on the east side of the property?

MR. NULL stated 12' from the property line.

MR. CANUL asked if there was a block wall fence?

MR. NULL replied a wooden fence.

MS. STEWART stated it is a picket fence and it needs to be replaced, and it will be done when possible.

VICE-CHAIRMAN SEGRETTE asked if anyone else wished to be heard, there being no one she declared the public hearing closed.

MRS. EMMETT made a Motion for APPROVAL of V-35-76 subject to the following conditions:

1. All necessary permits and inspections shall be obtained as required by the Department of Public Services.
2. Provide for gutters and a down-spout on the addition.
3. Signing an Assessment District Agreement for future street lights as required by the Department of Public Services.
4. Conformance to code requirements and design standards of City Departments.

Voting was as follows:

Mr. Miller - yes.
Mrs. Emmett - yes.
Mr. Canul - yes.
Vice-Chairman Segretti - yes.

Motion for APPROVAL carried unanimously.

15. V-36-76

APPROVED

Application of ANGIE B. MOON for a Variance to allow ten (10) parking spaces where eighteen (18) parking spaces are required on property legally described as Lot 1, Paradise Village #3, located at 400 East Sahara Avenue, on the north-east corner of Santa Paula Drive and East Sahara Avenue in Zoning District C-1 (Limited Commercial).

MR. NULL stated this situation is a reconstruction of an office building. He stated this property is zoned commercial for a restaurant, and the requirements of the Code are one parking space for every four patron seats which would produce the greatest seat requirement. He stated the applicant has come in and asked for seventy seats which would require 18 parking spaces, and they do not have that number. He pointed out the parking layout on the plan. He stated there is a lot of open area to the rear which cannot be used at the present time because there are existing walls and a covered area containing two water heaters and a washer and dryer. He stated staff cannot find where they have the trash enclosure, and that will have to be provided for.

MR. CANUL asked how much clearance there was from the property line to where the trash enclosure would be located?

MR. NULL indicated 16' or so.

MR. CANUL asked if the rest was green area?

MR. NULL indicated right now it is dug up; there was landscaping there at one time.

MR. CANUL asked if it was required to have one parking space for every four seats?

MR. NULL replied "yes". He stated originally they requested 40 seats with 10 spaces and now they are requesting 70 seats, and they will be short of parking.

VICE-CHAIRMAN SEGRETTI declared the public hearing open and asked to hear from the applicant.

MS. ANGIE B. MOON appeared. She stated they have 107' of frontage on Sahara Avenue one block from the Sahara Hotel. She stated the property in this area has transitioned to commercial and also to some of the side streets in the area. She informed the Board she was aware there was a possible petition of protest against their proposal, and she asked why it is possible for people to get petitions together against people who make their payments on property and pay taxes on their property? She stated her tenants are spending \$40,000 to do everything by the book and fix this place up. She asked why they didn't have the equal opportunity to contact people?

VICE-CHAIRMAN SEGRETTI informed Ms. Moon they did have the same opportunity when they made the application for the Variance; she stated it was up to them to contact these people.

MS. MOON commented that no one told her that.

VICE-CHAIRMAN SEGRETTI indicated they have poured the slab and put in the parking and signs practically before approval by the Board.

MS. MOON indicated all they were asking for now is more seating than there is now.

MR. NULL indicated there were no petitions on record for approval or denial of this request.

MR. MILLER asked if this has been before the Planning Commission?

MR. NULL stated "yes"; it was a request from R-2 to C-1 in 1969.

MR. MILLER asked if Ms. Moon owned the property?

MS. MOON replied "yes". She stated this will be a small hamburger and sandwich shop for the people in the area to come for lunch. She stated right now they only have approval for 40 seats which is ten tables with four chairs.

MRS. EMMETT asked when they had applied for the amount of seating for this facility?

MR. NULL indicated when they get the building permit it is then decided how much parking they will need depending on the seating capacity or floor area whichever is greater.

MS. MOON indicated at the time the permit was taken out they only had room for ten parking spaces.

MR. CANUL asked when the permit was applied for did they know they wanted 70 seats?

MS. MOON indicated they knew they wanted more than 40.

MR. CANUL asked then if they agreed to 40 to get the permit and now they are coming back in to get more seats?

VICE-CHAIRMAN SEGRETTI asked how long had they owned the property?

MS. MOON indicated since 1969. She stated the property cost her and her family a lot of money, and they have had to make high payments and the insurance is very high. She indicated her tenants have included Paul Laxalt, and because they couldn't get a tenant that could pay the price they had a massage parlor in there for some time. She indicated her present tenants are already in the process of remodeling the building and plan on spending \$30,000 to \$40,000 where the neighbor people and offices can come and get a hamburger, and they cannot seat enough people because of the on-premise parking question. She asked why Kelly and Cohens didn't have any parking requirements?

MR. NULL indicated there is no parking required in a C-2 zone.

MR. MILLER indicated they don't want any more parking, but they want more seating.

MR. CANUL asked when the original permit was taken out?

MS. MOON indicated it was taken out for one of the sites and all he has now is seating.

MR. MILLER asked why they wanted 70 seats?

MS. MOON indicated it was a figure they came up with, and she tried to figure out the seating amounts and explain them to the Board.

MR. NULL indicated the application was dated May 28, 1976.

MS. MOON indicated they made application six weeks or two months ago.

MR. CANUL asked when they came in did they want 70 seats?

MR. NULL stated when the plans came in they indicated 40 seats with ten parking spaces and two employee parking spaces, and now they want more seating which goes together with the parking, and that is why they need the Variance.

MS. MOON indicated they asked for seventy and they were informed they could only have 40 seats. She stated the reason why they came back is because they agreed to 40 people since this is the only way that it could be done was to come back in and request 70 seats now.

MRS. EMMETT asked if they started construction at that time?

MS. MOON stated the existing building has been there for many years, and they are making a restaurant from the existing building.

MRS. EMMETT asked regarding the green area on the property?

MS. MOON indicated the people next door have an office mortgage facility and they will move in June 1 and if they agree to tear down the wall there will be ample room for more parking; but these are things in the future, and they would like this approval right now.

MRS. EMMETT asked the hours of operation?

MS. MOON replied 10:00 A.M. to midnight.

MR. CANUL asked what staff's recommendation was?

MR. NULL indicated staff has no particular recommendation. He stated the parking will have to service their operation, and if they don't have enough they will hurt themselves. He stated if the Board does decide to approve this there are some conditions staff would like attached to their approval such as submission of a landscaping plan and location of the trash enclosure on the plot plan. He indicated the trash enclosure could be placed on the side of the building and access could be from the front if part of the wall was taken down.

VICE-CHAIRMAN SEGRETTI stated there was no wall on Sahara.

MR. NULL indicated the wall was on the side of the building.

There was discussion regarding the parking ingress and egress.

MR. NULL informed the Board they are relocating the drive-ways.

MS. MOON commented on the landscaping that is existing and the problem of having landscaping where there is asphalt near Sahara.

MR. NULL indicated staff will work this out with the applicant.

VICE-CHAIRMAN SEGRETTI asked if anyone else wished to be heard?

MS. HELEN CLARK, 718 South 8th Street, appeared. She stated she was confused; she was neither for or against this request. She stated she owns the adjoining property diagonally, across Santa Paula, and she indicated she was concerned about the parking; and she would be very happy to see a nice restaurant go in there. She indicated she had gone to City Hall and checked out the parking requirements and was informed the applicant must have one parking space for every four seats or every 100 sq. ft. whichever is greater. She stated the number of seats would require 18 parking spaces as would the square footage. She stated she felt it would be impossible for the current parking layout to work. She questioned the accessibility to some of the front parking spaces from Sahara Avenue.

MS. MOON informed Ms. Clark they do have a cut off from Sahara Avenue which would provide access to their property.

There was further discussion regarding the backing out and parking layout with regard to backing out and pulling in off Sahara Avenue.

MS. CLARK indicated she would be concerned if the 4' wall was removed because trash would come into her property.

MS. MOON indicated Mrs. Clark's property was not adjacent but kiddie-corner from her property and if the wall was removed there would still be a wall protecting her property from trash.

VICE-CHAIRMAN SEGRETTI asked regarding the green area.

MS. MOON indicated they were going to put in parking. She stated they would like to keep the off-street parking which is for 12 cars including two for the help.

MR. CANUL asked the distance of the parking space off Sahara?

MR. NULL indicated they were 21' from the sidewalk.

MR. CANUL asked how far across?

MR. NULL indicated it was 46'.

MR. CANUL asked if there was enough room to get out of these spaces?

MR. NULL indicated it would be tight but they can do it. He added the Traffic Engineer has looked at the plan.

MS. MOON stated the parking has been approved.

MR. NULL indicated the Traffic Engineer wouldn't allow them to back out onto Sahara Avenue.

VICE-CHAIRMAN SEGRETTI asked if there would be enough space for this parking arrangement?

MR. NULL indicated the total distance is 46' plus 15' equaling 61' plus 7'. He stated there will be enough room.

MR. CANUL asked how much area a car takes?

MR. NULL replied 10' X 20' or a minimum of 9' X 20'. He stated if you have 64' you are supposed to be able to get out of an isle; the only problem is the parking space which is located close to the sidewalk, and there they will have a tight squeeze.

MR. NULL commented if there was concern on the part of the Board the Traffic Engineer can look it over again.

MRS. EMMETT asked if there were similar situations on Sahara Avenue?

MR. NULL indicated he was not aware of many bad traffic problems.

MR. MILLER asked regarding other conditions required by staff?

MR. NULL indicated staff would require submission of the landscaping plan and staff would like to know the location of the trash enclosure and also conformance to code requirements and design standards of City Departments.

MRS. EMMETT asked if it would be necessary to have a high wall against the P-R zone?

MR. NULL indicated it was not usually required because P-R is considered a compatible use with C-1.

VICE-CHAIRMAN SEGRETTI asked if anyone else wished to be heard, there being no one she declared the public hearing closed.

MRS. EMMETT made a Motion for APPROVAL OF V-36-76 subject to the following conditions:

1. Conformance to the plot plan.
2. Submittal of a landscaping plan as required by the Department of Community Planning and Development.
3. Approval of the parking layout and circulation as required by the Traffic Engineer.
4. Conformance to code requirements and design standards of City Departments.

Voting was as follows:

Mr. Miller - yes.
 Mrs. Emmett - yes.
 Mr. Canul - yes.
 Vice-Chairman Segretti - Abstained.

Motion for APPROVAL carried by a 3-1 vote.

16. V-37-76

APPROVED

Application of CONTINENTAL PROPERTIES, INC. for a Variance to allow a wedding chapel where no wedding chapels are allowed on property legally described as Lot 13, Block 9, Resubdivision of Blocks 1 and 9, Meadows Addition, located at 222 West Sahara Avenue, on the north side of West Sahara Avenue between Fairfield Avenue and Tam Drive in Zoning District C-1 (Limited Commercial).

MR. NULL stated this is in the commercial area, located on the north side of Sahara Avenue known as the Enchanted Village Shopping Center which consists of several small buildings. He stated the applicants would like to put a wedding chapel in a C-1 zone. He stated staff doesn't have a recommendation on this request but they do have some questions of the applicant. He stated staff is concerned about the amount of parking that will be needed for this operation. He commented if there is little or no parking and there is a big wedding there will be a problem.

MR. CLIFF QUAN, 3720 Royal Crest #14, appeared representing the applicants.

VICE-CHAIRMAN SEGRETTI asked the size of the chapel?

MR. QUAN replied 1200 sq. ft.

VICE-CHAIRMAN SEGRETTI asked how many people would the chapel hold?

MR. QUAN replied 30 people.

VICE-CHAIRMAN SEGRETTI asked the size of a normal wedding party?

MR. QUAN stated it is usually the bride and groom and their friends which would require four or five parking spaces. He indicated they had a large amount of parking in front of the building.

VICE-CHAIRMAN SEGRETTI asked how many spaces?

MR. QUAN replied 100.

MR. MILLER asked if his building was assigned spaces?

MR. QUAN indicated the owner didn't assign them. He stated most of the parking is taken up by the Library Restaurant in the evenings when all the other stores are closed.

MR. MILLER asked staff's recommendation?

MR. NULL indicated staff felt the ordinance was probably intended to restrict wedding chapels in a C-2 zone to the downtown area. He stated staff was not against the use but was concerned about the traffic generated by the use and other problems inherent with putting this use in a C-1 zone. He stated some thought should be given to the problems that may be caused by permitting this use in a C-1 zone. He stated the parking lot was jammed when he was out there on a field check.

MR. MILLER commented that parking lot near the Library end is always jammed.

MRS. EMMETT asked if there was parking in back of this building?

MR. QUAN replied "yes".

MR. NULL indicated there were no stalls indicated, but there could possibly be some put in.

MRS. EMMETT compared this proposed chapel to the existing chapels, and she commented there is usually very little parking unless they are located in a motel. She stated in a logical sense they have an advantage.

MR. QUAN indicated he had talked with several shop owners, and they have indicated their business is strictly tourist oriented. He stated he felt this use would be an asset to the other shop owners, and he added Don Pettit, owner of the Library Restaurant, has offered a free bottle of champagne to the wedding parties.

MR. PEPPER HALEY, 15 Fremont Street, appeared stating that alley has been vacated, and there would be more than ample parking back there. He stated he was in favor of the application.

MR. NATHAN COULTER, 4797 Mountain View Road, appeared in protest. He stated he felt the Ordinance was written to restrict this type of business and prohibit the proliferation of this type of business near residential areas. He stated he felt the law was written for that purpose, and he stated he would like to see the original intent performed.

MR. MILLER commented marriages are performed at churches in residential areas.

MR. COULTER stated this is a different way of presenting it.

VICE-CHAIRMAN SEGRETTI asked if anyone else wished to be heard, there being no one she declared the public hearing closed.

MR. MILLER made a Motion for APPROVAL of V-37-76 subject to the following conditions:

1. Conformance to the plot plan.
2. Conformance to code requirements and design standards of City Departments.

Voting was as follows:

Mr. Miller - yes.
Mrs. Emmett - yes.
Mr. Canul - yes.
Vice-Chairman Segretti - yes.

Motion for APPROVAL carried unanimously.

17. U-53-76

APPROVED

Application of BETHEL BAPTIST CHURCH for a Use Permit to allow a church and parking on property legally described as Lots 9, 10, and 11, Block 2, H.F.M.&M. Addition and Lots 5 and 6, Block 2, Valley View Addition, located at 400 West Adams Avenue, on the northwest corner of West Adams Avenue and "D" Street and on the south side of Jefferson Avenue between "D" and "E" Streets in Zoning District R-4 (Apartment Residence).

MR. NULL indicated the church was located on the northwest corner of West Adams and "D" Street and the parking will be on the south side of Jefferson between "D" and "E" Streets. He stated this item has been before the Board earlier as a plot plan review under V-11-75 for the church and at that time there were several conditions attached to that request, and they did show four parking spaces on the actual church site. He stated now they have come in and they are going to resolve the problem of only four parking spaces. He stated originally it was required they have 26 spaces and with the new parking area they will have 52 spaces which will result in a larger church area, and he pointed out the actual area for parking. He stated staff doesn't see any particular problem but they are concerned because there are adjacent residences consisting of duplexes and single family residences to the east and west of this site. He stated staff would like to see a 6' block wall constructed along the sides of the parking lot adjacent to these uses. There were no protests or approvals on record. He added there are some conditions staff would like to see attached if this item is approved including, approval of an amended plot plan under V-11-75, pavement of the parking lot, landscaping in the parking lot, conformance to the plot plan, block walls, building addition to the church to be in compliance with the original conditions of approval, conformance to code requirements and design standards of City Departments, approval of the parking plan and circulation by the Traffic Engineer and the Public Work's conditions consisting of a 20' property line radius dedication at "D" and Adams, off-site improvements including alley paving and removal of existing driveways on "D" Street, installation of a concrete sidewalk on Jefferson Avenue, and the drive approach to Jefferson be limited to 28', signing as Assessment District Agreement for lighting on Adams, Jefferson and "D" Street. He stated staff recommends approval subject to the above conditions.

VICE-CHAIRMAN SEGRETTI declared the public hearing open and asked to hear from the applicant.

REV. JESSIE WESTLEIGH appeared representing the applicant.

VICE-CHAIRMAN SEGRETTI asked why this plan has been arranged this way?

REV. WESTLEIGH explained they are running out of space, and the church is falling down and they want to renew it.

VICE-CHAIRMAN SEGRETTI asked if they could comply with staff's recommendations?

REV. WESTLEIGH stated he believed so.

MR. MILLER indicated staff made a recommendation about block walls around the parking lot.

MR. NULL stated staff's main concern is the abutting neighbors, and if there are going to be complaints there should be a wall put up.

VICE-CHAIRMAN SEGRETTI asked if the property owners were notified?

MR. NULL replied "yes", and there have been no protests or approvals submitted in written form.

MR. NULL further explained Public Services' recommendations to Rev. Westleigh.

VICE-CHAIRMAN SEGRETTI asked where the entrance would be to the parking lot?

MR. NULL replied off Jefferson and from the alley.

VICE-CHAIRMAN SEGRETTI asked the size of the alley?

MR. NULL indicated it is a 20' alley which is unpaved and should be paved.

MR. GEORGE OSLEY, 1013 Cunningham, appeared in favor of this application and he stated when it was originally applied for they told the Board if they could find additional parking they would because they didn't have enough to begin with. He stated they have located lots in back of the church diagonally so they have made a deal with the mortgage company to buy the lots. He stated they want to build for the future and have a beautiful structure.

VICE-CHAIRMAN SEGRETTI asked how long before they could get the paving in on the parking lot?

MR. OSLEY indicated the building will have to be put in first, and they now park across the street in the old Jefferson Recreation Center.

VICE-CHAIRMAN SEGRETTI asked what building was going to have to be built?

MR. OSLEY indicated they are revamping the church; he stated they don't want to give a date for the paving before they start using it. They will use the lot across the street until they have something of their own.

MR. CANUL asked if the parking lot will be paved when they open the doors of the church.

MR. OSLEY stated before they start using the church the parking lot will be paved.

VICE-CHAIRMAN SEGRETTI asked if they agreed to the stipulations of staff?

MR. OSLEY commented that the parking lot will be paved before the parking lot is used by the church.

MR. BOB MC NUTT, 325 Falcon Lane, appeared in favor of this request. He stated he was in favor of this church going in but he objected to some of the Public Work's requirements such as the radius corner dedications. He stated there are no other radius dedications being asked for in the area. He suggested as the church has funds they should be required to put in sidewalks, or not until everyone else is required to put them in. He added that none of the alleys are paved in this area, and he didn't feel the church should be required to pave the entire alley when they would be using only part of it. He asked why the alley had to be paved?

MR. NULL replied because they will be using it for access to the parking lot.

VICE-CHAIRMAN SEGRETTI commented they are not using the parking lot until it is paved and the alley will be paved at the same time.

MR. MC NUTT commented staff is requiring that they pave an alley that they have no responsibility for; there is only a certain area that does touch their property, and they are not going to be driving down the entire alley.

VICE-CHAIRMAN SEGRETTI asked if they would be exiting through the alley?

MR. NULL suggested that the Board may require them to pave only the part they are going to use.

REV. WESTLEIGH indicated they would only occasionally use the alley.

MR. NULL asked if Rev. Westleigh would be in favor of paving only the portion they would be using?

REV. WESTLEIGH stated they would be in favor of that.

MR. MILLER asked why they would be required to dedicate a 20' radius corner?

MR. NULL explained that normally the City tries to get curb radii where there is going to be traffic and where they are going to need it. He stated it was difficult for him to speak for Public Service standards; these are standard design requirements to provide for a turning radius.

MR. MC NUTT stated the City does need corner radius but where improvements are not installed and no curbs are there, therefore, no requirements are needed for dedication.

MR. NULL commented the City probably would like dedication for future widening.

MR. CANUL indicated he didn't see any problem with that.

MR. NULL stated it wouldn't affect the building at all.

VICE-CHAIRMAN SEGRETTI asked if anyone else wished to be heard, there being no one she declared the public hearing closed.

MR. CANUL made a Motion for APPROVAL of U-53-76 subject to the following conditions:

1. Conformance to the plot plan which is an amendment to the approved plot plan under V-11-75.
2. Submittal of a landscaping plan prior to or at the same time application is made for a building permit.
3. Approval of the parking layout and circulation by the Traffic Engineer.
4. Dedication of a 20' property line radius at "D" and Adams, off-site improvements including alley paving from the west edge of the parking lot out to "D" Street at the time and parking lot is paved for use by the church, removal of the existing driveways on "D" Street, installation of a concrete sidewalk on Jefferson Avenue abutting the subject property and signing an Assessment District Agreement for future street lighting on Adams, Jefferson and "D" Street as required by the Department of Public Services.
5. Paving of the parking lot prior to its use as required by the Department of Community Planning and Development.
6. Construction of a 6' masonry wall along the east and west sides of the parking lot if requested by the abutting residents.
7. Conformance to code requirements and design standards of City Departments.

Voting was as follows:

Mr. Miller - yes.
Mrs. Emmett - yes.
Mr. Canul - yes.
Vice-Chairman Segretti - yes.

Motion for APPROVAL carried unanimously.

18. V-38-76

APPROVED

Application of MR. AND MRS. W. S. TEAL for a Variance to allow an existing single family residence and proposed room addition which is five feet (5') from the rear property line where twenty-five feet (25') is required and one foot (1') from the south side property line where five feet (5') is required and three feet eight inches (3'8") from the north side property line where nine feet (9') is required making a side yard setback total of four feet eight inches (4'8") where fourteen feet (14') total is required on property legally described as Lots 11, 10 and the north twenty-two feet (22') of Lot 9, Block 5, Highland Park Amended, located at 417 Arnold Street, on the east side of Arnold Street approximately 125 feet north of Alta Drive in Zoning District R-1 (Single Family Residence).

MR. NULL stated this property is located on the east side of Arnold Street, and he pointed out the location of the addition on the plot plan. He stated the existing house actually has all the setback problems. He stated staff feels whether or not the Board approves the addition the existing house should be sanctioned. He stated the existing building has problems in that there is only 5' from the rear property line and 1' from the south side property line and 3'8" from the north side property line. He stated staff cannot find out what happened that caused the house to be built with the deficient rear yard on the north, but they do know what caused the problem on the south. The applicant owned four lots each one with 25' frontage which totaled 100'. He stated this house was built first and the applicant wanted to split the lot which would take off 25' (south lot) and take off 5' from this lot in order to put another house on the south lot. He stated there was some question regarding the overlap of the lots after they cut off one lot so a legal opinion was obtained that they could do so as long as the setback from the existing house was adequate. He stated there was some question if the carport was part of the house. When the split occurred this carport ended up 1' within the property line which then had to be adjusted.

MR. CANUL asked where the addition would be located?

MR. NULL pointed out the addition will not be in sideyard conformance but will be in conformance with the line of the existing building. He stated the rear and each individual side and total side yard setbacks would have to be acted on.

MR. MILLER asked if they would be acting on this variance as well as the addition and rear and side setbacks?

MR. NULL stated that would be staff's recommendation. He stated this would be a cloud on the title if they ever wanted to sell the house. Staff is saying if the Board wants to remove the cloud on the title they should approve all these variances, but they couldn't do anything about it on the south because that house has conforming yards.

MR. CANUL stated if they approve the addition they would be approving everything else.

VICE-CHAIRMAN SEGRETTI declared the public hearing open and asked to hear from the applicant.

MR. W. S. TEAL appeared and stated he couldn't sell the house the way it is now.

VICE-CHAIRMAN SEGRETTI asked if the property to the south belonged to this property?

MR. TEAL stated they still own it, but the lot is legally separated and has been recorded.

MR. NULL stated there was one protest and no letters of approval on record.

MR. MILLER asked the size of the addition?

MR. TEAL replied 22' X 25'.

MR. EVAN BLYTHIN, 412 Arnold Street, appeared in favor of this request. He stated this addition will be an improvement to the neighborhood, and he stated the addition looks pretty good to him.

VICE-CHAIRMAN SEGRETTI asked if Mr. Blythin was across the street and diagonal from this property?

MR. BLYTHIN replied "yes", he stated he has talked to about half the people on the block and they agree it is an asset.

MR. PEPPER HALEY, appeared in protest. He stated his father owns the property on the north side and has a heart ailment and is unable to appear at this meeting. He asked that this item be put off until another date. He stated on the north side of this property abutting 421 Arnold Street the house is 3'8" from the property line, and there is a refrigeration unit sitting on the ground, and the eave of the house is approximately 1½' from the property line. He stated his father has had a problem in the past when there is a heavy rain and the rain water runs off the roof and falls on the property and runs into the back yard. He stated his father has brought in blow sand, etc., to fill in the ditch the water makes. He stated this addition will be right up against his father's house and will make the situation worse.

MR. MILLER asked if the addition will come up against the north side?

VICE-CHAIRMAN SEGRETTI asked how far his father's house was away from the building?

MR. HALEY stated exactly 9' from the property line which is required by law, and he stated the addition will be almost 10½' from his father's house.

MRS. EMMETT asked where the house was located in relation to the existing structure.

MR. NULL indicated there was a driveway and then the house.

MRS. EMMETT indicated his father's house will be next to the addition with a 8' driveway in between.

MR. TEAL indicated his addition will be 3'8" from the property line.

MR. HALEY stated not really; the eave will put it approximately 2½' from the property line.

MR. TEAL replied 22".

MR. HALEY indicated the air conditioners is 1'8" from the property line.

MR. TEAL indicated the air conditioner is 18" by approximately 4' long and sits at the corner of the house, and the eave comes out 22"; and he stated the water from the eave runs onto his own property. He added the house is now being rented and the occupants have lived there for four years, and he stated he had a letter of approval from the occupants.

MR. HALEY informed the Board the fence between the properties is bamboo. He stated his father has contacted this man and tried to ask him to make a few simple changes to stop the water problem. He suggested that the eave be cut off and the building of a small block wall buried 1½' in the ground so the water will hit the block wall and stay inside his own property. He stated this problem will be worsened with the addition. He stated he would like to see something done about the water flow off his roof, and he added that this house was built at the same time as his father's house.

MR. TEAL stated the house was built 25 years ago. He stated that he would put a gutter on the addition and make the water run into his front yard.

VICE-CHAIRMAN SEGRETTI asked if there were rain gutters on the house?

MR. TEAL replied "no", and there has been no problems with wash out or damage done by the rain.

VICE-CHAIRMAN SEGRETTI asked Mr. Teal if he would agree to install the rain gutters?

MR. TEAL indicated he would install the gutters, but he will not cut 18" off the existing roof.

MR. HALEY stated with the rain this City does have often times the gutters will not hold the water and the gutters must be made very large. He asked regarding the wall to stop the water from going into his father's property?

VICE-CHAIRMAN SEGRETTI stated if the rain gutters are installed they will take the water to the front of the building.

MR. HALEY also complained that the addition in the front will block off the side of his father's house, and you can't see from the side and back yard now.

VICE-CHAIRMAN SEGRETTI asked if staff had any definite figures on the air conditioners in the side yard?

MR. CANUL stated he didn't feel that would be a problem.

MR. TEAL indicated it was right up against the house.

MR. NULL informed the Board an Ordinance has just been approved to allow projections of 2' in side and rear yard areas.

MR. EVAN BLYTHIN reappeared and stated he has lived there for 7 years and he has never seen any water problems and he stated he has never seen any dirt added to the back yard.

VICE-CHAIRMAN SEGRETTI asked if anyone else wished to be heard, there being no one she declared the public hearing closed.

MR. MILLER made a Motion for APPROVAL of V-38-76 subject to the following conditions:

1. Conformance to the plot plan.

2. Provide a gutter and down-spout along the north side of the addition and the existing building to carry water into the front yard as required by the Department of Community Planning and Development.
3. Signing an Assessment District Agreement for future street lights and sidewalks as required by the Department of Public Services.
4. Conformance to code requirements and design standards of City Departments.

Voting was as follows:

Mr. Miller - yes.
 Mrs. Emmett - yes.
 Mr. Canul - yes.
 Vice-Chairman Segretti - yes.

Motion for APPROVAL carried unanimously.

MR. NULL informed Mr. Teal he will have to sign an Assessment District Agreement for sidewalks and street lights and Mr. Teal stated he already has signed the Agreement.

19. U-54-76 (HO)

WITHDRAWN

Application of ROBERT E. SMITH at 6921 Kim Avenue in Zoning District R-1 for a Home Occupation Permit - Allow an office only to be used in conjunction with the 1977 Rose Parade.

MR. NULL informed the Board this item has been withdrawn at the request of the applicant.

20. U-75-75

Plot Plan Review

APPROVED

Request of STANDARD OIL COMPANY to revise the plot plan allowing the construction of a new service station (self-service) on property located at 600 Las Vegas Boulevard North and East Bonanza Road in Zoning District C-1.

MR. NULL informed the Board this item was before them on October 23, 1975, and at that time there was a problem with the interpretation of the right-of-way dedication.

MR. ROBERT PATTERSON, Property Representative, Standard Oil Company, appeared. He informed the Board this plan was approved, but the long-range Master Plan for Bonanza Road required 10' dedication before we could start construction. He stated the management of Standard Oil Company felt they couldn't spend \$175,000 and then have the City take the street right-of-way and they decided to modify the request and the existing facility and agree to the 10' dedication with a turning radius.

VICE-CHAIRMAN SEGRETTI asked if this was a self-service station?

MR. PATTERSON indicated this was a revision to the previous plan which was for the approval of a new service station.

MR. NULL pointed out the revised plan. He stated they are leaving the existing building and removing the storage building in the upper right hand corner. He stated they have landscaping and show a 25' radius corner with 10' dedication for Bonanza Road. He pointed out the applicants do show a sign in the dedicated right-of-way, and the location of this sign shouldn't be approved with the approval of this plot plan review. This will be something that will have to be worked out with the Public Services Department.

VICE-CHAIRMAN SEGRETTI asked if the sign wasn't the matter of contention at the last meeting?

MR. PATTERSON stated they would maintain 10' of the street and leave the City harmless.

VICE-CHAIRMAN SEGRETTE asked if the entrances and exits were all on Las Vegas Boulevard?

MR. NULL stated there are two on Las Vegas Boulevard and two on Bonanza Road.

MR. PATTERSON stated the drives will not be changed, and they are in existence now. He stated it is their intent to take off two lube racks; the building has restrooms and a sales office and a storage room. He stated they are planning on spending \$25,000 to upgrade the corner and put in landscaping. He stated there is landscaping on the 10' of right-of-way and they will maintain it.

VICE-CHAIRMAN SEGRETTE asked if there would be a 10' dedication cut off to round the corner?

MR. NULL indicated there will be a 25' radius corner. He stated there is no problem on Las Vegas Boulevard only on Bonanza Road. He added that staff would like to suggest some conditions which should be attached to this plot plan if approved; one being the conditions of approval of 10/23/75 be applicable to this revised plan as amended; submission of a revised landscaping plan and submittal of a new building elevation if different from the previous plan.

MR. PATTERSON stated at some future date when they do lose the 10' of right-of-way it will put them out of business, on the corner. He stated he would like some consideration to work out a way to allow them to drive onto each street.

MR. NULL indicated this could be worked out with the Traffic Engineer at the time the dedication of 10' is given to the City.

MR. MILLER made a Motion for APPROVAL of the Plot Plan Review under U-75-75 subject to the following conditions:

1. Conformance to the plot plan.
2. Submittal of a revised landscaping plan as required by the Department of Community Planning and Development.
3. Submittal of a new building elevation plan if different from the original submission.
4. Conformance to all previous conditions of approval under U-75-75.
5. Conformance to code requirements and design standards of City Departments.

Voting was as follows:

Mr. Miller - yes.
Mrs. Emmett - yes.
Mr. Canul - yes.
Vice-Chairman Segretti - yes.

Motion for APPROVAL carried unanimously.

21. V-43-74
Extension of Time

APPROVED
3 years

Request for an Extension of Time on the approved Variance of RON RICHARDSON to allow the storage of mobile homes, travel trailers, and recreational vehicles on an unpaved parking lot on property generally located on the west side of North Lamb Boulevard between Washington Avenue and Harris Avenue 250 feet west of Lamb Boulevard and immediately west of 808 and 826 North Lamb Boulevard in Zoning District R-E (Resolution of Intent to R-T).

MR. NULL indicated there is a resolution of intent to C-1 along Lamb Boulevard, and the rest of the zoning is R-T. He stated this area consists of a sales office and a lot for trailers and other vehicles on commercial frontage, and on the back lot they would like to store trailers, etc. He stated they are asking for a five-year extension to allow the continued use of this lot for storage. He stated staff is concerned about the length of the request, and something should be worked out so that there will be some type of pavement for the lot; staff would like to see some type of temporary improvement made. Staff also feels if there are complaints in the future this matter should be reviewed to determine if asphalt should go in. He stated there was one letter of approval on record.

MR. ROBERT MC NUTT, appeared. He informed the Board this area is zoned for permanent R-T zoning because the Planning Commission got tired of them coming in each year for an extension of time and gave them permanent R-T zoning. He stated this temporary lot has been dust-proofed but it is not paved.

VICE-CHAIRMAN SEGRETTI asked the type of dust-proofing used on the lot?

MR. MC NUTT said it was an emulsion with type 2 gravel. He stated there is no traffic on this lot, a mobile home comes in and sits for one or two months and then goes off. He stated eventually this will be used as a storage area for a mobile home park which has received approval on the design.

VICE-CHAIRMAN SEGRETTI asked why they asked for five years?

MR. MC NUTT stated they figured if they were going to ask for something they would like five years, but he added they could get along with three years.

MR. NULL stated staff sees no objection to the use or the extension, but they are concerned about the surfacing. He stated if there was gravel or chat that would be sufficient for staff. He stated if complaints were received they would like to have a permanent type paving installed.

MR. CANUL made a Motion for APPROVAL of the Extension of Time under V-43-74 subject to the following conditions:

1. All previous conditions of approval under V-43-74 are applicable.
2. This Variance application will expire on June 24, 1979.
3. If a complaint is received regarding this operation, the surrounding property owners shall be notified and the Board will conduct a review and the approval may be rescinded.

Voting was as follows:

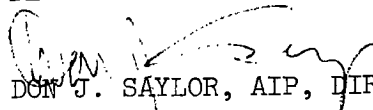
Mr. Miller - yes.
Mrs. Emmett - yes.
Mr. Canul - yes.
Vice-Chairman Segretti - yes.

Motion for APPROVAL carried unanimously.

ADJOURNMENT:

There being no further business the meeting was adjourned at 11:00 P.M.

DEPARTMENT OF COMMUNITY PLANNING & DEVELOPMENT


DON J. SAYLOR, AIP, DIRECTOR